

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 12/2025**

Precautionary Measure No. 1350-24

**Edwin Edgardo Lainez Ordoñez regarding Honduras**

February 2, 2025

Original: Spanish

**I. INTRODUCTION**

1. On November 28, 2024, the Inter-American Commission on Human Rights (“the Inter-American Commission,” “the Commission” or “the IACHR”) received a request for precautionary measures filed by D.O.N. and S.J.C.O.<sup>1</sup> (“the requesting party”), urging the Commission to request that the Republic of Honduras (the “State” or “Honduras”) adopt the necessary measures to protect the rights to life and personal integrity of Edwin Edgardo Lainez Ordoñez (“the proposed beneficiary”). According to the request, the whereabouts of the proposed beneficiary are unknown since November 13, 2024. His mother alleges that he has been abducted by unknown persons.

2. Pursuant to Article 25(5) of the Rules of Procedure, the Commission requested information from the State on December 2, 2024. The requesting party submitted an additional communication on December 9, 2024. After the requested time extension was granted on December 9, 2024, the State sent its response on December 13, 2024. On January 6, 2025, the Commission forwarded information between the parties. The requesting party sent a response on January 13, 2025. The State submitted its observations on January 14, 2025.

3. Upon analyzing the submissions of fact and law furnished by the parties, the Commission considers that the proposed beneficiary is in a serious and urgent situation, given that his current location is unknown to date. Consequently, based on Article 25 of its Rules of Procedure, the IACHR requests that Honduras: a) adopt the necessary measures to determine the whereabouts or fate of Edwin Edgardo Lainez Ordoñez, in order to protect his rights to life and personal integrity; b) report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring; and c) ensure that the family of Mr. Lainez Ordoñez is kept duly informed of the measures adopted and the progress of the investigation.

**II. SUMMARY OF FACTS AND ARGUMENTS**

**A. Information provided by the requesting party**

4. The requesting party indicated that the proposed beneficiary is 29 years old and is an engineer in the city of Tegucigalpa, Honduras. One of the applicants is the mother of the proposed beneficiary, who resides in the United States of America, where she allegedly arrived with her family due to circumstances that compromised her safety in Honduras. Such circumstances are not specified in the request or when she obtained refugee status, according to her account.

5. It was reported that, in August 2023, as he was heading down the highway, towards the north of the country, he was approached by a group of individuals identified as members of a criminal organization. During that meeting, these people threatened him and demanded the payment of 1,000,000 lempiras. This event was described as an “extortion.” The threats included possible physical reprisals or damages against his

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<sup>1</sup> The IACHR decides to keep the identity of the applicants confidential given the nature of the reported facts.

integrity and that of his family if he did not comply with the economic demands. Faced with these threats, the proposed beneficiary and his family reportedly experienced a state of constant fear, which affected their personal and emotional security.

6. On November 13, 2024, the proposed beneficiary was deprived of his liberty by unknown persons in the city of Tegucigalpa. The requesting party described the situation as a “kidnapping.” They also indicated that they do not have specific details about the exact moment in which it occurred or the methods used. The requesting party presumes that he was forcibly taken. From that day on, his mother and his sister have no information about his whereabouts or the conditions in which he could find himself. They indicated that they have not received direct communication from the people who took him, whom they describe as “kidnappers,” nor have they obtained specific clues about his location.

7. The requesting party noted that the kidnapping could be linked to the same individuals who previously extorted him, so they could have acted with premeditation and with the deliberate intention of causing him harm. Therefore, they consider that the proposed beneficiary could be exposed to mistreatment, torture, or inhumane situations. They also indicated that Tegucigalpa is an area with high rates of violence and the presence of criminal organizations; and state authorities often have limited resources to respond effectively.

8. The requesting party went to different state and local institutions to file formal complaints and request protective measures:

- Police Directorate of Investigations (DPI): A complaint was filed on November 22, 2024, for the authorities to initiate an investigation into the proposed beneficiary’s whereabouts. The complaint was filed by the proposed beneficiary’s aunt, M.O.G. A report was issued with the proposed beneficiary’s data (physical characteristics and particular signs). The attached complaint states the following:

*The complainant narrates that her nephew left his house located in the Colonia Loarque Sur at around 06:00:00 hours on Wednesday, 11-13-2024, who went to the market and from that moment did not return to his house and has been sought, but so far there is no answer. He files the missing person’s report for fear that something will happen to him. It is mentioned that he has security cameras in his house.*

- National Commissioner for Human Rights (CONADEH): on November 27, 2024, support was sought to ensure an adequate intervention by the competent authorities. According to the available documentary support, the aunt indicated the following to that institution:

*Since I filed the complaint, they have not given us an answer, they just tell me that they are working on the investigation, but they do not tell us anything in particular. In the same way, I requested protection for my nephew’s house, but they did not answer. Since then, I have gone to the house, but there are suspicious cars, the ones that scare me, because only when I go are they there. What I want is for you to work fast because my nephew does not appear and I am afraid. Agent H. gave us his number to contact him, but he is unwilling to give us much information. Therefore, Ms. O. states that she requests that CONADEH carry out the due diligence before the DPI in order to inspect the current status of the investigation. In the same way, she requests security measures since she fears for her life and that of her relatives. The applicant is made aware of what the security measures consist of, to which she responds to be aware.*

9. The requesting party indicated that the formal complaint was received in both places, but to date there have been no significant reports of progress in the investigation or information on the actions taken to locate the proposed beneficiary.

10. In the specific case of the Police Directorate Against Maras, Gangs, and Organized Crime (DIPAMPCO), in charge of kidnapping cases, it was indicated that, when going to file the complaint, the officers acted negligently and showed disinterest in the situation raised. The representatives of this unit reportedly refused to hear the complaint, leaving the family in a state of uncertainty and without access to the specialized resources that this unit should provide. They consider that this inadequate response shows a possible institutional failure that aggravates the situation.

11. With regard to the investigations, the requesting party emphasized that these must include agents specialized in kidnappings, technical support such as geolocation of mobile devices, review of security cameras in the area of the kidnapping, and analysis of communication networks linked to the previous extortion. Finally, they consider that the State must implement a coordinated action plan among the competent institutions; protect the family; provide psychological and legal assistance; provide security at home; and promote an investigation into institutional negligence.

12. The requesting party informed on January 13, 2025, that to date it had no clear or precise information on his whereabouts or on concrete actions that the authorities had implemented to address the situation of the disappearance of the proposed beneficiary. In addition, they reiterated the uncertainty and risk that they are allegedly facing.

#### **B. Response from the State**

13. The State reiterated its commitment to continue taking the necessary actions to find the whereabouts of the proposed beneficiary, and sent letters from two different bodies: i. Police Directorate Against Maras, Gangs, and Organized Crime - DIPAMPCO; and ii) the Human Rights Department of the Secretariat of State in the Security Office.

14. In the DIPAMPCO official letter dated December 6, 2024, it was stated that, after reviewing the databases of that unit, no information associated with the proposed beneficiary was found. Similarly, a biographical component of the proposed beneficiary was attached, which includes the following observations: "Search [...] was carried out on the NACMIS platform... [referring to the proposed beneficiary], who appears as a complainant for loss of documents on 05/05/2023 [...] and also appears as missing with case number DPI-PO-12002 on November 22, 2024."

15. For its part, the Department of Human Rights of the Secretariat of Security indicated that on December 13, 2024, it received a response from DIPAMPCO in which it was reported that A.L.P., father of the proposed beneficiary, went to that Directorate on November 26, 2024, to file a complaint for the alleged disappearance and unjust deprivation of liberty of his son. In this regard, he stated:

"that on November 13, 2024, in the afternoon, two armed men entered to take his son Edwin Edgardo Lainez Ordoñez and took him by force through a ravine. He also mentioned that about a year ago his son had been deprived of liberty with the intention of obtaining a million lempiras in exchange, which they requested through beatings and death threats while he was deprived of liberty."

16. DIPAMPCO clarified that it is made up of members of the National Police, agents of the State's investigation and intelligence directorate, prosecutors of the Special Prosecutor's Office Against Organized Crime (FESCCO) who jointly face gangs and other criminal organizations pursuing the crime of extortion, illicit enrichment, money laundering, and other related crimes. For this reason, after hearing the complainant, DIPAMPCO determined that it was not competent to know the crime of unjust deprivation of liberty. Therefore, it provided technical advice to the proposed beneficiary's father and coordinated with the Anti-Kidnapping Unit of the Police Directorate of Investigations (DPI) where he was referred to file the complaint.

17. On December 12, 2024, the DPI reported having carried out the following investigative procedures around the report of the disappearance of the proposed beneficiary: i) search tours in the Loarque sur neighborhood and surrounding neighborhoods in search of information and public and private security cameras; ii) search in databases of the Directorate of Forensic Medicine of the Public Prosecutor's Office, National Penitentiary Institute, National Institute of Migration, and other State institutions; iii) inspection of the proposed beneficiary's home; iv) collection of packaging of computer-type electronic equipment taken to the criminal laboratories of the DPI; v) taking statements from the complainant, the family, and friends of the victim; vi) activation of Interpol's international search yellow notification; and vii) request for the preservation of social network accounts through the Computer Crime Investigations Unit.

18. The DPI indicated that, on December 11, 2024, a preliminary report was sent to the Prosecutor's Office for Crimes against Life in which it requested the interception of communications from different telephone numbers linked to the investigation. It was affirmed that the team of the Monitoring and Reporting of Disappeared Persons Unit is waiting for the investigation orders of the Prosecutor's Office for crimes against life, since it is required that the competent courts be held for the provision of information from private cell phone companies, social media companies, and the swearing-in of experts for the analysis and extraction of information from the electronic equipment. The Missing Monitoring and Reporting Unit expressed that the completion and search for the proposed beneficiary continues with the support of other special units of the DPI.

19. On January 13, 2025, the State informed that it had requested information on the proposed beneficiary from the National Migration Institute and that it was awaiting a response. It added a communication from the Ministry of Security stating that the Anti-Kidnapping Unit, after searching the physical and digital archives of the institution, did not find any record of a complaint for the crime of kidnapping of the proposed beneficiary (information of December 21, 2024). However, it indicated that it had provided support to the Missing Persons Section OCN Interpol, which received a report on December 11, 2024, for the crime of "disappeared." In this regard, it was clarified that the Anti-Kidnapping Unit, DPI, carries out investigations for the crime of kidnapping where there is deprivation of liberty and in exchange for his release there is a type of demand. The State pointed out that in the case referred by DIPAMPCO the crime had been purportedly defined as "unjust deprivation of liberty," while the correct criminal definition was "illegal deprivation of liberty." It was also clarified that NCB Interpol received the report for the crime of "disappeared" and not for the crime of kidnapping. The State reiterated its commitment to continue taking the necessary actions to comply with its international human rights obligations.

### **III. ANALYSIS OF THE ELEMENTS OF SERIOUSNESS, URGENCY, AND IRREPARABLE HARM**

20. The precautionary measures mechanism is part of the Commission's function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are provided for in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the Statute of the IACHR. The mechanism of precautionary measures is set forth in Article 25 of the Commission's Rules of Procedure. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid irreparable harm to persons.

21. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have established repeatedly that precautionary and provisional measures have a dual nature, both protective and precautionary.<sup>2</sup> Regarding the protective nature, these measures seek

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<sup>3</sup> I/A Court H.R., [Matter of the Yare I and Yare II Capital Region Penitentiary Center \(Yare Prison\)](#), Provisional Measures regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; [Case of Carpio Nicolle et al. v. Guatemala](#), Provisional Measures, Order of July 6, 2009, considerandum 16.

to avoid irreparable harm and protect the exercise of human rights.<sup>3</sup> To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted.<sup>4</sup> As for their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. Their precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations.<sup>5</sup> In the process of reaching a decision, and according to Article 25(2) of the Rules of Procedure, the Commission considers that:

- a. “serious situation” refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b. “urgent situation” refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and
- c. “irreparable harm” refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

22. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt; rather, the information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.<sup>6</sup> Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.<sup>7</sup> This is better suited to be addressed by the Petition and Case system. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be resolved without making any determination on the merits.<sup>8</sup>

23. By the same token, the Commission, when assessing the facts alleged by the requesting party, takes into account the context in which these take place. In this regard, it is emphasized that, in the *2024 Report on the Human Rights Situation in Honduras*, the Commission noted that citizen violence and insecurity is an

<sup>3</sup> I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; [Case of Bámaca Velásquez](#), Provisional Measures regarding Guatemala, Order of January 27, 2009, considerandum 45; [Matter of Fernández Ortega et al.](#), Provisional Measures regarding Mexico, Order of April 30, 2009, considerandum 5; [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5.

<sup>4</sup> I/A Court H.R., [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish); [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 9; [Matter of the Criminal Institute of Plácido de Sá Carvalho](#), Provisional Measures regarding Brazil, Order of February 13, 2017, considerandum 6 (Available only in Spanish).

<sup>5</sup> I/A Court H.R., [Matter of the Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 7; [Matter of “El Nacional” and “Así es la Noticia” newspapers](#), Provisional Measures regarding Venezuela, Order of November 25, 2008, considerandum 23; [Matter of Luis Uzcátegui](#), Provisional Measures regarding Venezuela, Order of January 27, 2009, considerandum 19.

<sup>6</sup> I/A Court H.R., [Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua](#), Extension of Provisional Measures, Order of August 23, 2018, considerandum 13 (Available only in Spanish); [Matter of children and adolescents deprived of liberty in the “Complexo do Tatuapé” of the Fundação CASA](#), Provisional Measures regarding Brazil, Order of July 4, 2006, considerandum 23.

<sup>7</sup> IACHR, [Resolution 2/2015](#), Precautionary Measure No. 455-13, Matter of Nestora Salgado regarding Mexico, January 28, 2015, para. 14; [Resolution 37/2021](#), Precautionary Measure No. 96-21, Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua, April 30, 2021, para. 33.

<sup>8</sup> In this regard, the Court has indicated that “[it] cannot, in a provisional measure, consider the merits of any arguments pertaining to issues other than those which relate strictly to the extreme gravity and urgency and the necessity to avoid irreparable damage to persons.” See in this regard: I/A Court H.R., [Matter of James et al. regarding Trinidad and Tobago](#), Provisional Measures, Order of August 29, 1998, considerandum 6 (Available only in Spanish); [Case of the Barrios Family v. Venezuela](#), Provisional Measures, Order of April 22, 2021, considerandum 2.

aspect of special concern and that Honduras continues to be the most violent country in Central America.<sup>9</sup> In addition, the situation of insecurity and violence is aggravated by the presence of criminal organizations, especially maras and gangs, which engage in various illegal activities, including extortion.<sup>10</sup>

24. When analyzing the requirement of *seriousness*, the Commission takes into account the following assessments in light of what has been reported by the parties:

- To date, there is no clarity on how the proposed beneficiary's disappearance occurred on November 13, 2024. On the one hand, the internal complaints of the mother, the sister, and the aunt allege that he was kidnapped when leaving his house by unknown persons and they do not have additional details. On the other hand, the father's internal complaint indicates that he was taken by force by two men, who allegedly entered, in a violent way, a place which is understood to be his house.
- Notwithstanding the fact that there is no clarity on what happened, and while the event continues under investigation, the Commission emphasizes that all the parties agree to indicate that the proposed beneficiary's whereabouts are unknown since November 13, 2024, the date on which third parties allegedly took him to a place still unknown to all. In this regard, the requesting party complained that this could be linked to a criminal organization. Since then, more than two months have passed without any knowledge of the whereabouts of the proposed beneficiary. Likewise, the family indicates that to date they have not received any information about the activities carried out by the authorities or about progress in the investigations.
- In addition to the above, the Commission emphasizes that, prior to what happened on November 13, 2024, the proposed beneficiary had already been subjected to extortion in August 2023, as reported by his mother, his sister, and his aunt. His father, for his part, reportedly said that "about a year ago" he had already been deprived of his liberty by unknown persons, who allegedly extorted money from him. While with such persons, the father warned that the proposed beneficiary was subjected to beatings and death threats.
- In line with what was alleged in the request, the Commission understands that there could be a temporary connection between the proposed beneficiary's current disappearance and the 2023 extortions. If so, and if the same people are involved, the Commission notes that the proposed beneficiary, having been deprived of his liberty a second time, could be subjected to attacks on his rights, if they continue with the same extortionist pattern.
- It is particularly worrisome to this Commission that, unlike what happened in 2023, when unknown persons demanded money in exchange, on this occasion, there is no demand to obtain money in exchange for the life and integrity of the proposed beneficiary. The foregoing could be an indication that the unknown persons could have additional purposes, other than extortion, as well as of greater vulnerability, as no request has been reported by his captors, who are allegedly armed, as denounced by the father.
- The Commission highlights that, according to the requesting party, the events that occurred in 2023 allegedly led the proposed beneficiary to take his own security measures in his home, such as the installation of security cameras.

25. The Commission notices the actions taken by the State in light of the facts alleged by the requesting party. In this regard, according to the State, the DPI has carried out different investigative activities

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<sup>9</sup> IACHR, Situation of Human Rights in Honduras, OEA/Ser.L/V/II, March 24, 2024, para. 657.

<sup>10</sup> IACHR, Situation of Human Rights in Honduras, previously cited, para. 273

such as tours in the neighborhood in which the event occurred and surrounding neighborhoods; search for information and security cameras; search in institutional databases; inspection of the residence of the proposed beneficiary; taking statements; among others. The State indicated that a preliminary report has been sent to the Prosecutor's Office for Crimes against Life and that it is waiting for authorization to intercept communications from telephone numbers linked to the investigation. In addition, the Missing Persons Monitoring and Reporting Unit and other special units of the DPI continue to carry out search procedures for the proposed beneficiary.

26. The Commission appreciates that such actions have been taken, as well as that the State expresses its commitment to continue developing the necessary actions to find the location of the proposed beneficiary. However, the Commission notes that, from what the parties contested, it is not a controversial aspect that to date there is no official information regarding the place and conditions in which Edwin Edgardo Lainez Ordoñez is. In this regard, the Commission notes that, despite the time that has elapsed and the complaints filed, the latest communication from the State does not indicate any progress or results in the investigations carried out by the competent authorities.

27. Likewise, despite having been a constant allegation of the requesting party throughout its request, the Commission does not identify a response or possible corrective actions in the face of the questions made by it to State action. For example:

- That DIPAMPCO refused to receive a complaint from the requesting party, showing disinterest, despite having been reported the possible participation of criminal organizations for extortion purposes. In this regard, it is noted that DIPAMPCO response was reportedly different when the father denounced the situation on November 26, 2024.
- That the competent authorities do not have communication with the requesting party, composed of the proposed beneficiary's mother, sister, and aunt. The foregoing is relevant insofar as, according to the information available, they were the first to report the facts on November 22, 2024 to the DPI.
- That to date, the family members are unaware of the actions or achievements in the search and location of the proposed beneficiary.

28. Similarly, the Commission understands that, since an entity specialized in gangs and organized crime is not considered competent, the history of violence that the proposed beneficiary allegedly faced in 2023 was not adequately assessed, as he was held by unknown persons, possibly criminals, in exchange for money.

29. In summary, the Commission concludes that, based on the *prima facie* standard of review, it is sufficiently proven that the proposed beneficiary's rights to life and personal integrity are at serious risk, in light of the assessments previously made regarding the events that have accompanied the proposed beneficiary's disappearance since November 13, 2024.

30. Regarding the requirement of *urgency*, the Commission deems that it has been met, inasmuch as the passage of time without establishing his whereabouts is likely to generate greater impacts on the rights to life and personal integrity of the proposed beneficiary. In this sense, more than two months after his whereabouts are unknown, and after the absence of information, or corrective actions, to the questions made to the investigations carried out, the Commission considers it necessary to adopt immediate measures to safeguard his rights.

31. Regarding the requirement of *irreparable harm*, the Commission maintains that it has been met, since the potential impact on the rights to life and personal integrity constitutes the maximum situation of irreparability.

32. Lastly, the Commission stresses that, although information was presented on members of the proposed beneficiary's family in Honduras, the claims focused on the proposed beneficiary, so it considers that it requires greater factual elements of assessment. Consequently, it is attentive to the additional information that they may provide later, which will be analyzed in the terms of Article 25 of the Rules of Procedure. Notwithstanding, the Commission recalls the obligations that the State has in their favor under the terms of Article 1(1) of the American Convention.

#### **IV. BENEFICIARY**

33. The Commission declares Edwin Edgardo Lainez Ordoñez beneficiary of the precautionary measures, who is duly identified in this proceeding.

#### **V. DECISION**

34. The Commission understands that this matter meets *prima facie* the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, the Commission requests that Honduras:

- a) adopt the necessary measures to determine the whereabouts or fate of Edwin Edgardo Lainez Ordoñez, in order to protect his rights to life and personal integrity;
- b) report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring; and
- c) ensure that the family of Mr. Lainez Ordoñez is kept duly informed of the measures adopted and the progress of the investigation.

35. The Commission requests that Honduras report, within 15 days from the date of notification of this resolution, on the adoption of the requested precautionary measures and update that information periodically.

36. The Commission emphasizes that, pursuant to Article 25(8) of its Rules of Procedure, the granting of precautionary measures and their adoption by the State do not constitute a prejudgment regarding the possible violation of the rights protected in the American Convention and other applicable instruments.

37. The Commission instructs its Executive Secretariat to notify this resolution to the State of Honduras and the requesting party.

38. Approved on February 2, 2025, by Roberta Clarke, President; Carlos Bernal Pulido, First Vice-President; José Luis Caballero Ochoa, Second Vice-President; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi  
Executive Secretary